




SO ORDERED.

SIGNED this 22 day of April, 2016.

  
Joseph N. Callaway  
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
FAYETTEVILLE DIVISION**

In re:

**Roger D. Barton**

Debtor

Case NO: 16-00741-5-JNC  
Chapter 13

**CONSENT ORDER MODIFYING AUTOMATIC STAY AS TO PERSONAL  
PROPERTY**

The parties, by and through their respective undersigned counsel, hereby agree that this Order may be entered by consent, that the automatic stay as to personal property – a 2013 Chevrolet Silverado Truck, Vin No. 1GCRCSE00DZ257499 (the “Vehicle”) – be modified in order to allow Springleaf Financial Services, Inc. (“Springleaf”) to exercise its contractual and state law remedies against the Vehicle. Based on the agreement and stipulations between the parties, the Court makes the following findings of fact and conclusions of law:

1. On October 26, 2015, Roger Dale Barton (“Debtor”) executed a promissory note and security agreement, a copy of which is attached to Claim 1, filed by Springleaf in the above-captioned matter.
2. Springleaf loaned \$25,000 to the Debtor to purchase the Vehicle, and the Debtor defaulted under the terms of the promissory note and security agreement.
3. On February 13, 2016, the Debtor filed a petition in bankruptcy.

4. The Debtor filed a Chapter 13 plan proposing to surrender the Vehicle to Springleaf and hereby consents to Springleaf recovering and selling the Vehicle.

5. That the parties agree to the following findings of fact and conclusions of law: that the automatic stay pursuant to Sections 362 shall hereby be lifted as to the Vehicle; that Springleaf is entitled to exercise remedies available to it under the promissory note and security agreement and applicable laws and statutes of the State of North Carolina; that Rule 4001(a)(3) is hereby waived with respect to this bankruptcy proceeding; and that the terms of this Order shall survive dismissal of the above-captioned case and apply in future cases filed by the Debtors.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. That the automatic stay pursuant to Sections 362 shall hereby be lifted as to the 2013 Chevrolet Silverado Truck, Vin No. 1GCRCSE00DZ257499;

2. That Springleaf Financial Services, Inc. is entitled to exercise remedies available to it under contract and applicable laws and statutes of the State of North Carolina;

3. That Rule 4001(a)(3) is hereby waived with respect to this bankruptcy proceeding; and

4. That the terms of this Order shall survive dismissal of the above-captioned case and apply in future cases filed by the Debtor.

CONSENTED TO:

/s/ Ramsay Tyler Archie  
Ramsay Tyler Archie  
Attorney for Springleaf Financial Services, Inc.

/s/ Chad W. Hammonds  
Chad W. Hammonds  
Attorney for Debtor

NO OBJECTION:

/s/ Joseph A. Bledsoe, III  
Joseph A. Bledsoe, III  
Chapter 13 Trustee

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